



State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

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Interoffice Memorandum

TO: Buck Oven
Siting Coordination Office

FROM: Trudie D. Bell *TDB*
Bureau of Wetland Resource Management

DATE: June 18, 1991

SUBJECT: PA89-25 Natural Gas Pipeline-Compliance with Conditions of Certification

The Bureau of Wetland Resource Management staff have reviewed the submittal by the Hardee Power Partners on May 29, 1991 regarding the natural gas pipeline associated with the Hardee Power Station for compliance with the conditions of certification. This submittal covered the 8 mile section of pipeline from the Hardee Power Station north to the intersection of CR 630 and SR 37.

We are unable to determine whether the permittee is in compliance with Certification Condition XXXII A.4. This condition requires that the permittee conduct an ecological survey of the proposed right of way (ROW) and submit the study to the Florida Game and Fresh Water Fish Commission (FGFWFC) and the United States Fish and Wildlife Service (USFWS) as well as DER. There is no evidence in the submittal that the study was submitted to either FGFWFC or USFWS for review. Documentation of submittal of the study to the FGFWFC and USFWS should be submitted to the Department to demonstrate compliance with the certification conditions.

The exotic vegetation removal and control plan submitted in compliance with Certification Condition XXXII A. 12 and 13 is not acceptable to the Department. The post-construction control plan specifies mechanical removal of exotic vegetation from wetlands within the ROW. This would result in repeated disturbance of those wetlands. Hand removal of exotic vegetation from wetlands within the ROW will be necessary to avoid the adverse impacts on the wetlands of periodic disturbance for mechanical removal of exotic vegetation.

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The permittee states that the mitigation required in Certification Condition XXXII(A)7 is not required for this 8 mile section of the natural gas pipeline which runs from the Hardee Power Station north to the intersection of CR 630 and SR 37. The Department agrees that mitigation is not required for the currently proposed ROW for this 8 mile section of the pipeline, since the only wetland impacts are to 0.129 ac. of mining ditches and 0.141 ac. of herbaceous wetland, which will be restored to natural grade and allowed to revegetate. If the proposed ROW is rerouted and additional wetland areas impacted or the impact to the current impact areas increased, the need for mitigation will have to be revisited.